

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KELLY SCOTT,

Defendant.

Case No. 17-CR-29-3-JPS

ORDER

On May 23, 2017, the grand jury returned an eleven-count second superseding indictment against Defendant and his co-defendants arising from a spree of armed robberies and carjackings. (Docket #50). Defendant is charged in five of the eleven counts with robbery and weapons offenses. On December 12, 2017, the parties filed a plea agreement indicating that Defendant agreed to plead guilty to Counts Two, Six, and Seven of the Second Superseding Indictment. (Docket #93). Counts Two and Six charge him with Hobbs Act robbery, in violation of 18 U.S.C. § 1951(a), while Count Seven charges Defendant with brandishing a firearm during a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A)(ii). *Id.* at 2–3.

The parties appeared before Magistrate Judge David E. Jones on January 4, 2018 to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #102). Defendant entered a plea of guilty as to Counts Two, Six, and Seven of the Second Superseding Indictment. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Jones determined that the guilty plea was knowing and voluntary, and that the offenses charged were

supported by independent factual bases containing each of the essential elements of the offenses. (Docket #106 at 2).

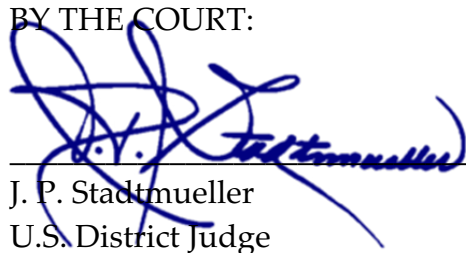
On January 8, 2018, Magistrate Jones filed a Report and Recommendation with this Court, recommending that: (1) Defendant's plea of guilty be accepted; (2) a presentence investigation report be prepared; and (3) Defendant be adjudicated guilty and have a sentence imposed accordingly. *Id.* Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. (Docket #106 at 3). To date, no party has filed such an objection. The Court has considered Magistrate Jones' recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge David E. Jones' Report and Recommendation as to Defendant Kelly Scott's guilty plea (Docket #106) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 23rd day of January, 2018.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge